

**INFORMATION
for
TENNESSEE
SUPPLEMENTAL EDUCATIONAL SERVICES
PROVIDERS**

What You Need To Know

Tennessee Supplemental Educational Services Providers

What You Need to Know

State Department of Education Responsibilities

- ◆ In consultation with local education agencies, parents, teachers and other interested members of the public, promote maximum participation by providers to ensure, to the extent practicable, that parents have as many choices as possible
- ◆ Develop and apply objective criteria to potential providers that are based on a demonstrated record of effectiveness in **increasing the academic proficiency of students in subjects relevant to meeting the State academic content and student achievement standards**
- ◆ Maintain an updated list of providers across the State, by school district, from which parents may select
- ◆ **Develop, implement, and publicly report on standards and techniques for monitoring the quality and effectiveness of the services offered by approved providers, and for withdrawing approval from providers that fail, for 2 consecutive years, to contribute to increasing the academic proficiency of those students served**
- ◆ Provide annual notice to potential providers of supplemental services and of the applicable procedures for obtaining approval from the State educational agency to be an approved provider of those services

Local Educational Agency Responsibilities

- ◆ For schools required to offer supplemental services, the local educational agency must “arrange for the provision of supplemental educational services to eligible children in the school from a provider with a demonstrated record of effectiveness, that is **selected by the parents** and approved for that purpose by the state educational agency in accordance with reasonable criteria that the State educational agency shall adopt.”
- ◆ Provide, **at a minimum, annual notice to parents** (in an understandable and uniform format and, to the extent practicable, in a language the parents can understand) of –
 - ◆ The availability of services
 - ◆ The identity and approval of providers of those services that are within the local educational agency **or whose services are reasonably available in neighboring local educational agencies**
 - ◆ A brief description of the services, qualifications, and the demonstrated effectiveness of each provider
- ◆ **If requested**, assist parents in choosing a provider from the list of approved providers maintained by the State
- ◆ **If parent assistance is requested, Local Educational Agencies that also serve as providers must be careful to offer unbiased assistance focused on the needs of the student and the preferences of the parent. The Local Educational Agency is**

not permitted to merely assign those students to a district or school administered program

- ◆ If the amount of funds is insufficient to provide supplemental educational services to each child whose parents request the services, the local educational agency “shall give priority to providing services to the lowest-achieving children,” and apply fair and equitable procedures for serving students if the number of spaces is not sufficient to serve all students
- ◆ **Not disclose to the public the identity of any student who is eligible for, or receiving, supplemental educational services without the written permission of the parents of the student**
- ◆ Services may be targeted to the area(s) of greatest need (i.e. by subject or by grade)
- ◆ The local educational agency shall (funding permitting) continue to provide supplemental educational services to a child receiving such services until the end of the school year in which those services were first received
- ◆ **In the case of the selection of an approved provider by a parent, the local educational agency shall enter into an agreement with such provider**

Agreement

- ◆ The agreement shall –
 - ◆ **Require the local educational agency to develop, in consultation with parents (and the provider chosen by the parents), specific achievement goals for the student (individualized goals for each student), measures for student progress, and a timetable for improving achievement** (in the case of students with disabilities, is consistent with the student’s individualized education program under section 614(d) of the Individuals with Disabilities Education Act)
 - ◆ **Describe how the student’s parents and the student’s teacher(s) will be regularly informed of the student’s progress**
 - ◆ **Provide for the termination of such agreement if the provider is unable to meet goals or timetables**
 - ◆ **Contain provisions with respect to making payments to the provider by the local educational agency**
 - ◆ **Prohibit the provider from disclosing to the public the identity of any student eligible for, or receiving, supplemental educational services without the written permission of the parents of such student**
 - ◆ For faith based organizations, require that funds for supplemental services be in a separate account and not commingled with other operating funds
 - ◆ Include any other provisions relating to liability and accountability as deemed necessary by the local educational agency

Funding

- ◆ Local Educational Agencies with at least one school in the second year of school improvement (On-Notice or On-Notice Improving according to the Tennessee definition) are required to set aside an amount equal to 20 percent of their combined Title I, Part A allocation (including any funds transferred into Title I, Part A from other programs under NCLB as allowed under transferability provisions) for transportation costs related to public school choice as well as to “satisfy all requests for supplemental educational services.”

- ◆ Of this 20 percent, 5 percent must be reserved to provide, or pay for, transportation related to school choice; 5 percent to provide supplemental educational services; and the remaining 10 percent for either transportation or supplemental educational services as the agency determines.”
- ◆ **The local educational agency is not obligated to spend more than an amount equal to 20 percent of its Title I-A allocation on choice related transportation and/or supplemental educational services.**
- ◆ In identifying funds for these purposes, a local educational agency **may not reduce the Title I-A money to any school in corrective action (probation) or restructuring (corrective action), by more than 15 percent.**

Per-Pupil Cap

- ◆ The amount that a local educational agency is required to make available for supplemental educational services for each child is the **lesser of** –
 - ◆ The amount of the agency’s Title I allocation divided by the number of children from families below the poverty level, or
 - ◆ The actual cost of the supplemental educational services received by the child

Waiver

- ◆ At the request of a local educational agency, a State educational agency may waive, in whole or in part, the requirement to provide supplemental educational services if –
 - ◆ None of the providers of those services on the list approved by the State educational agency makes those services available in the area served by the local educational agency, and
 - ◆ The local educational agency provides evidence that it is not able to provide those services

Parent Responsibilities

- ◆ Parents of eligible students may choose a supplemental service provider from the State-approved list
- ◆ Parents may request assistance from the local educational agency in selecting a provider
- ◆ Parents are to be active participants in the supplemental educational services program
 - ◆ In addition to choosing a provider from the State approved list, parents may have the option to change or terminate services if they are not satisfied
 - ◆ Parents, the local educational agency and the provider must develop and identify specific academic achievement goals for the student, measures of student progress, and a timetable for **improving achievement**
 - ◆ All parents whose children receive supplemental educational services must be regularly informed of their student’s progress and in a manner that is easily understood

Supplemental Educational Services Provider Responsibilities

- ◆ Increasing the academic achievement of students served
- ◆ With the local educational agency and the parent, develop specific achievement goals for each child, measures for student progress, and a timetable for improving achievement
- ◆ Provide parents of children receiving supplemental educational services **and the appropriate local educational agency** with information on the progress of the children in increasing achievement in a format and, to the extent practicable, in a language that such parents can understand
- ◆ Ensure that instruction provided and content used by the provider **are consistent with the instruction provided and content used by the local educational agency and State, and are aligned with State student academic achievement standards**
- ◆ Meet all applicable Federal, State, and local health, safety, and civil rights laws
- ◆ Ensure that all instruction and content are secular, neutral, and non-ideological
- ◆ Comply with all provisions of the agreement with the local educational agency

Definitions

Eligible Students

- ◆ Children who are eligible meet two criteria: (1) they are from low-income families (as determined by the local educational agency for the purposes of allocating funds to the school), and (2) they are attending Title I schools in the second year (or more) of improvement (high achieving students may not be excluded)
- ◆ When more students request services than the school district can fund, the school district must place priority on serving students who are the lowest achieving students from low-income families
- ◆ Students who are participating in the school choice option are not eligible for supplemental educational services

Provider

- ◆ A for-profit or non-profit entity, institution of higher education, or a local educational agency that –
 - ◆ Has a demonstrated record of effectiveness in increasing student academic achievement
 - ◆ Is capable of providing supplemental educational services **that are consistent with the instructional program of the local educational agency and are aligned with State student academic standards**
 - ◆ Is financially sound

Supplemental Educational Service

- ◆ Tutoring and other supplemental academic enrichment service that are –
 - ◆ In addition to instruction provided during the school day, and

- ♦ Are of high quality, research-based, and specifically designed to increase the academic achievement of eligible children on the State academic assessments and attain proficiency in meeting the State's academic achievement standards

Resources

U.S. Department of Education Guidance Document

<http://www.ed.gov/policy/elsec/guid/suppsvcsguid.doc>

Supplemental Educational Services Quality Center

www.tutorsforkids.com

SES Toolkit for Faith-based and Community Organizations

<http://www.ed.gov/admins/comm/suppsvcs/toolkit.pdf>